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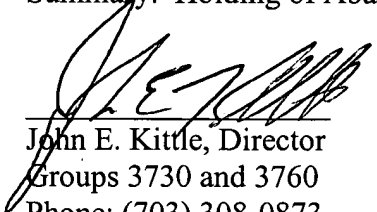
In re Application of	:	DECISION ON PETITION
Omar S. Khalil et al	:	TO WITHDRAW
Serial No. : 09/419,461	:	HOLDING OF
Filed : October 15, 1999	:	ABANDONMENT
For : Method for Modulating Light Penetration Depth in	:	
Tissue and Diagnostic Applications Using Same	:	

This is a decision on petitioner's request filed February 2, 2004, to review the holding of abandonment mailed January 20, 2004 for failure to take action following the decision by the Board of Patent Appeals and Interferences dated September 24, 2003. There is no fee required for this petition.

In support of the request, petitioner has submitted a copy of a response (a Request for Continued Examination (RCE) that included an Information Disclosure Statement and an amendment), and a copy of a PTO stamped receipt indicating the response was received, timely, on November 24, 2003.

In view of the above, the Notice of Abandonment mailed January 20, 2004, is in error and is hereby vacated. The holding of abandonment is withdrawn. Upon the mailing of this decision, the application will be forwarded to the Examiner via the Legal Instruments Examiner for entry, processing and consideration of the RCE.

Summary: Holding of Abandonment Withdrawn.


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